

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DONNA INGRAM, et al.,

Plaintiffs,

v.

VANGUARD GROUP, INC. et al.,

Defendants.

CIVIL ACTION
NO. 14-3674

ORDER

AND NOW, this 17th day of July 2015, upon consideration of Defendants' Motion to Dismiss Partially the Amended Complaint (Doc. No. 26), Plaintiffs' Response in Opposition to the Motion (Doc. No. 28), and Defendants' Reply in Further Support of the Motion (Doc. No. 29), and for reasons stated in the Opinion of the Court issued this day, it is **ORDERED** as follows:

1. Defendants' Motion to Dismiss the allegations set forth in paragraphs 46-58, 75, 134-53, and 192-208 of the Amended Complaint (Doc. No. 26) will be granted in part and denied in part. The allegations set forth in paragraphs 142-45 and 147-48 of the Amended Complaint (Doc. No. 24) are dismissed as time barred because they involve events that occurred more than 300 days before Plaintiff Jo DiGiovanni filed her Charge of Discrimination with the Equal Employment Opportunity Commission and the Pennsylvania Human Relations Commission. The allegations set forth in paragraphs 46-58, 75, 134-41, 146, 149-53, and 192-208 of the Amended Complaint (Doc. No. 24) will not be dismissed.
2. Defendants' Motion to Dismiss Count XI of the Amended Complaint against Defendant Bob Arata only (Doc. No. 26) is granted. Bob Arata is no longer a defendant in this case.

3. Defendants' Motion to Dismiss Counts I, II, and XI of the Amended Complaint against Defendant Christopher Hammond only (Doc. No. 26) is granted in part and denied in part. Count XI of the Amended Complaint against Defendant Hammond is dismissed. Counts I and II of the Amended Complaint against Defendant Hammond will not be dismissed.
4. Defendants' Motion to Dismiss Count XI of the Amended Complaint against Defendant Tracy Richards only (Doc. No. 26) is granted.
5. Defendants' Motion to Dismiss the hostile work environment claims, which are set forth in Counts I, III, V, VI, and VIII of the Amended Complaint (Doc. No. 26), is denied.
6. Defendants' Motion to Dismiss the disparate impact claims, which are set forth in Counts I and III of the Amended Complaint (Doc. No. 26), is granted.

It is **FURTHER ORDERED** that Plaintiffs shall file a notice by **August 6, 2015** specifying the theory, or theories, of discrimination on which Plaintiff Jo DiGiovanni bases her claims in Counts IX and X of the Amended Complaint.

BY THE COURT:

/s/ Joel H. Slomsky, J.
JOEL H. SLOMSKY, J.